



**GOVERNMENT OF PUERTO RICO**  
DEPARTMENT OF STATE



October 21, 2022

María Teresa Szendrey Ramos, Esq.  
McConnell Valdés, LLC  
PO Box 364225  
San Juan, P.R. 00936-4225

**SUBJECT MATTER**

**MARK**

**CLASS**

**FILING NUMBER**

**FILING DATE**

**APPLICANT**

**Office Action**

**VILLEROY & BOCH**

**011**

**247675-21-1**

**April 7<sup>th</sup>, 2022**

**Villeroy & Boch AG**

To whom it may concern:

In order to proceed with the examination of the said mark Applicant must submit the following information:

- ☒ 1. Clearly state the goods and/or services in connection with the mark as used or intended to be used in commerce in Puerto Rico. This applies if the Applicant customized the selection of goods or services.

The Application in reference includes a broad and indefinite description of the goods and/or services in which the trademark will be used. A written application must specify the particular goods and/or services on or in connection with which the applicant uses, or has a bona fide intention to use, the mark in commerce. To "specify" means to name in an explicit manner. The identification should set forth common names, using terminology that is generally understood. The identification of goods and/or services must be specific, definite, clear, accurate, and concise. *In re Societe Generale des Eaux Minerales de Vittel S.A.*, 1 USPQ2d 1296 (TTAB 1986), rev'd on other grounds, 824 F.2d 957, 3 USPQ2d 1450 (Fed. Cir. 1987); *The Procter & Gamble Co. v. Economics Laboratory, Inc.*, 175 USPQ 505 (TTAB 1972), modified without opinion, 498 F.2d 1406, 181 USPQ 722 (C.C.P.A. 1974).

Applicant identifies and classifies the goods and/or services as follows:

- "Water conduits installations; sanitary apparatus and installations; fittings for basins; bath tubs; bath fittings; wash-hand basins [parts of sanitary installations]; bidets; hand held showers; overhead showers; shower roses; shower cubicles; shower taps; taps for pipes and pipelines; spa baths [vessels]; hand-operated valves and mixer valves for sanitary water supply; regulating accessories for water or gas apparatus and pipes; sauna bath installations; siphons; bath tubs for sitz baths; toilets [water-closets]; bathroom sinks; toilet seats; toilet seat lids; toilet bowls; water

flushing installations; flushing tanks; urinals being sanitary fixtures; urinals being parts of sanitary installations; portable urinals for outdoor activities [sanitary installations]; sanitary covers for toilet seats; mixer taps for water pipes; water supply installations; water distribution installations; whirlpool-jet apparatus; lighting apparatus; luminaires; electric lamps; gas lamps; LED lamps; wall lights; hurricane lamps" in International Class 005.

The wording in the identification of goods and/or services needs clarification because it is too broad and could include goods and/or services classified in other international classes. Applicant must clarify the identification of goods and/or to specify the nature of the goods as well as their main purpose and their particular field of use or channels of trade. The applicant may aid in clarifying the indefinite term by following the indefinite subject matter with "namely, [specify goods and/or services by generic or common commercial name and field of use]." Any modification to this wording must identify goods and/or services in properly classified in the original International Class specified in the application for these goods and/or services.

Applicant may substitute the following wording:

- **"Utensils for household purposes, namely, sieves; combs; cleaning sponges; washing brushes; material for brush-making; cleaning articles, namely, washing brush; steel wool; glass, unworked or semi-worked, except building glass; beverage glassware; porcelain mugs; dustbins; dishwashing brushes; mugs; painted glassware, namely, works of art made of glass; brooms; sprinklers for watering flowers and plants; beer mugs; flower pots; flower-pot covers, not of paper; cloth for washing floors; scrubbing brushes; frying pans; cooking skewers; nozzles for watering cans; bread boards; bread bins; bread baskets for household purposes; ironing boards; flat-iron stands; toilet brushes; brushes, except paint brushes, namely, washing brushes; busts of porcelain, ceramic, earthenware or glass; butter dishes; china ornaments; closures for pot lids, namely, tension closing devices for pot lids; deodorizing apparatus for personal use, namely, electric warmers to melt scented wax tarts; shower squeegees being cleaning instruments; egg cups; buckets; glass jars being carboys; disposable table plates; toothbrushes, electric; cruets; chopsticks; mouse traps; chamois leather for cleaning; squeegee sponges being cleaning instruments; statuettes, namely, figurines of porcelain, terracotta or glass; hip flasks; flasks; bottles, sold empty; bottle openers, electric and non-electric; fly swatters; ice cube molds; gardening gloves; containers for household or kitchen use; vegetable dishes being dishes for serving vegetables; coffee services in the nature of tableware; spice sets, namely, spice racks; watering cans; glass cups; glass holders being portable beverage container holders; wine glasses; glass bowls; mosaics of glass, not for building; powdered glass for decoration; glass stoppers; plungers for clearing blocked drains; hand operated cleaning instruments, namely, pads for cleaning; plastic household gloves for cleaning purposes; cleaning mitts of fabric; towel racks, namely, towel bars; gloves for household purposes; abrasive sponges for scrubbing the skin; insect traps; insulating flasks; services, namely, dishes; tea services in the nature of tableware; jugs; decanters; coasters, not of paper or textile; potato ricers; food mashers; vegetable mashers; cheese domes; dust-pans; cookie jars; ceramics for household purposes, namely, ceramic figurines; non-electric candelabra, namely, candlesticks; candle drip rings; garlic presses being kitchen utensils; cookery molds; non-electric cooking pot sets; cooking pots; baskets for household purposes; corkscrews, electric and non-electric; cosmetic utensils in the nature of thread for eyebrow**

threading; crystal beverage glassware; cake molds; kitchen containers; refrigerating bottles, namely, vacuum bottles; isothermal bags, being insulated bags for food or beverage for domestic use; works of art of porcelain, ceramic, earthenware or glass; nest eggs, artificial; mouse traps; knife rests for the table; cocktail shakers; furniture dusters; mops; water apparatus for cleaning teeth and gums for home use; chamber pots; nail brushes; heaters for feeding bottles, non-electric; fruit presses, non-electric, for household purposes; non-electric lemon squeezers; egg beaters, non-electric; whisks, non-electric, for household purposes; kitchen grinders, non-electric; fruit bowls; cups of paper or plastic; paper plates; perfume vaporizers sold empty; spatulas for kitchen use; pepper pots; plant syringes; fitted picnic baskets, including dishes; cake servers; glass plates; cookie and biscuit cutters; polishing leather; lunch boxes; powder compacts, empty; cloths for cleaning; lawn sprinklers; shaving brushes; rat traps; perfume burners; household utensils, namely, graters; mixing spoons being kitchen utensils; cocktail stirrers; salad bowls; salt cellars; spatulas for kitchen use; brushes for cleaning tanks and containers; basins, namely, bowls; cooking skewers of wood; cocktail sticks; cooking utensils, namely, skewers; signboards of porcelain or glass; crumb trays; whisks, non-electric, for household purposes; cutting boards for the kitchen; basting spoons being cooking utensils; shoe horns; brushes for footwear; shoe trees; drip mats for tea; pot stands; sponges for household purposes; soap boxes; soap racks being soap holders; soap brackets; soap dispensers; dishes; household utensils, namely, cooking sieves; lazy susans; napkin rings; cooking strainers; non-metal coin banks; nozzles for watering hose; dishwashing brushes; rags, namely, dusting cloths [rags]; feather-dusters; soup ladles for kitchen use; soup bowls; trays for household purposes; tableware, except forks, knives and spoons, namely, tea services; cups; tea caddies; tea infusers; teapots; tea cozies; tea pots of precious metal; tea strainers; pastry cutters; rolling pins, domestic; dough scrapers; table plates; non-electric carpet sweepers; carpet beaters being hand-operated instruments; portable potties for babies, made from plastic; toilet paper holders; toilet paper dispensers; toilet sponges; pot lids; pots; pottery, namely, ceramic figurines; pie servers; portable baby baths being foldable bath tubs for babies; funnels; drinking vessels; drinking glasses; ironing board covers, shaped; saucers; vases; vacuum flasks; clothes-peg; rotary washing lines; drying racks for laundry; kettles, non-electric; toothbrushes; floss for dental purposes; toothpicks; toothpick holders; sugar bowls; nutcracker” in International Class 021; if accurate.

Be advised that this amendment is illustrative and not exhaustive.

The Applicant is referred to the International Classification of Goods and Services under the Nice Agreement provided by the World Intellectual Property Organization for assistance in describing the specific goods in relation to which the Applicant uses the mark in commerce. For a list of the latest Nice Classification of goods you can access the following website:

<http://www.wipo.int/classifications/nivilo/nice/index.htm?lang=EN>

Please note that, while an application may be amended to clarify or limit the identification of services, adding to or broadening the scope of the services is not permitted. Therefore, applicant may not amend the identification to include any services that are not within the scope of the services set forth in the present identification.

- ☐ 2. Provide a drawing of the mark as used or as intended to be used in commerce in Puerto Rico.
- ☐ 3. Provide a detailed description of the mark as used or as intended to be used in commerce in Puerto Rico.
- ☐ 4. Provide a specimen that shows the mark in connection with the goods or services identified in your application.
- ☐ 5. Applicant must disclaim those terms or components of the mark which are not susceptible of exclusive appropriation.
- ☐ 6. The registration for the applied mark is refused on the following grounds:
- ☐ 7. Other.

According to Rule 27 of Puerto Rico's Trademark Rules of Procedure, if the PRTTO does not receive a response to the abovementioned remarks within ninety (90) days, the Application shall be considered abandoned.

**Note: Please refer to the name of the Examining Attorney. The office action response shall be filed online at <https://prtmfiling.f1hst.com/>. Please select "RESPUESTA A NOTIFICACION" from the dropdown menu. The cost of said filing is \$15.00. If any questions should arise, you can contact the Examining Attorney at [jtorres@estado.pr.gov](mailto:jtorres@estado.pr.gov) or [marcas@estado.gobierno.pr](mailto:marcas@estado.gobierno.pr)**

Cordially,

A handwritten signature in blue ink, appearing to read "José M. Torres".

José M. Torres, Esq.  
Examining Attorney  
Puerto Rico Trademark Office